

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

PATENT

#18
KAY
10-22-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
de Groot et al.

Serial No.: 09/621,593

Filed: July 21, 2000

For: MEANS AND METHODS FOR RAISING
ANTIBODY CONCENTRATION IN
COMPARTMENTS OF THE BODY OF A
NON-HUMAN ANIMAL

Examiner: B. Whiteman, Ph.D.

Group Art Unit: 1633

Attorney Docket No.: 4497US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV209823415US

Date of Deposit with USPS: October 21, 2002

Person making Deposit: Jon Wentz

DECLARATION OF HERMAN DE BOER

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I, Herman de Boer, declare that:

1. I am over twenty-one years of age and competent to give sworn testimony.
2. I am a named co-inventor in United States Patent Application Serial No. 09/621,593 entitled "Means and Methods for Raising Antibody Concentration in Compartments of the Body of a Non-Human Animal" filed on 21 July 2000. I am informed and believe that Arriwan Holding B.V. is an assignee of United States Patent Application Serial No. 09/621,593

3. I am also a named co-author of the publication de Groot et al., "Over-expression of the murine polymeric immunoglobulin receptor gene in the mammary gland of transgenic mice", *Transgenic Research* 8: 125-135, (Kluwer Academic Publishers 1999).

4. On 6 April 2002 I contacted Miranda Kraaijeveld at Kluwer Academic Publishers B.V. to determine the date of printing and the date of shipment date for the journal containing the de Groot et al. publication. I received a letter from Miranda Kraaijeveld on 9 April 2002 that contained those dates.

5. Based upon my correspondence with Kluwer Academic Publishing, I am informed and believe the printing date of the journal containing the de Groot et al. publication to be 22 July 1999 and the shipment date of the journal containing the de Groot et al. publication to be 3 August 1999.

6. Besides me, the de Groot et al. publication lists three additional people as co-authors, *i.e.*, Nanda de Groot, Petra van Kuik-Romeijn, Sang He Lee.

7. I am informed and believe that Nanda de Groot is also a named co-inventor of the instant patent application.

8. Petra van Kuik-Romeijn was a collaborator of mine and Nanda de Groot. Petra van Kuik-Romeijn's name was included as a co-author of the de Groot et al. publication only in order that she too could receive credit for having collaborated in the research program leading up to the findings described in the de Groot et al. publication. All such collaborative efforts however were conducted at the request of either me or Nanda de Groot or under the specific directions of me or Nanda de Groot.

9. The de Groot et al. publication describes the work of me and Nanda de Groot. Petra van Kuik-Romeijn, while co-authoring the de Groot et al. publication, is not a co-inventor of the

subject matter claimed in the instant patent application.


10. Sang He Lee was a collaborator of mine and Nanda de Groot. Sang He Lee's name was included as a co-author of the de Groot et al. publication only in order that he too could receive credit for having collaborated in the research program leading up to the findings described in the de Groot et al. publication. All such collaborative efforts however were conducted at the request of either me or Nanda de Groot or under the specific directions of me or Nanda de Groot.

11. The de Groot et al. publication describes the work of me and Nanda de Groot. Sang He Lee, while co-authoring the de Groot et al. publication, is not a co-inventor of the subject matter claimed in the instant patent application.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. code and that such willful false statements may jeopardize the validity of the patent.

Date:

JUN 23 2002


Herman de Boer